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The Honorable Frederic Block
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

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**Re: *Zimmerman, et al. v. Poly Prep Country Day School, et al.,
09 Civ. 4586 (FB) (CLP)***

Dear Judge Block:

Our firm represents Defendants Poly Prep Country Day School, William M. Williams, David B. Harman and certain members of the Poly Prep Board of Trustees currently unknown and identified by Plaintiffs as "James Doe I-XXX" in the above-referenced matter (collectively, "Poly Prep Defendants"). This letter is submitted jointly by counsel for Plaintiffs, the undersigned counsel for the Poly Prep Defendants, counsel for Defendant Robert Herrmann, Hinshaw & Culbertson LLP, and Harry Petchesky pro se.¹

On September 13, 2011, counsel notified the Court regarding the briefing schedule for the motions to dismiss filed by the Poly Prep Defendants and other named Defendants. (ECF Doc. 162.) The Poly Prep Defendants, Defendant Harry Petchesky, and Defendant Robert Herrmann have now served their Motions to Dismiss and their Memoranda of Law on Plaintiffs. Plaintiffs' counsel has requested additional time to prepare and serve Plaintiffs' Memorandum of Law, and is agreeable to give defense counsel additional time for their reply briefs.

Accordingly, pursuant to the Court's rules and subject to this Court's approval of this revised schedule, counsel have agreed to the following slightly revised briefing schedule:

- On or before November 23, 2011: Plaintiffs shall serve their Memorandum of Law in opposition to the motions to dismiss.

¹ Plaintiffs have dismissed Defendants Steve Andersen and Ralph Dupee. (ECF Doc. 170.)

O'MELVENY & MYERS LLP

The Honorable Frederic Block, November 3, 2011 - Page 2

- On or before December 22, 2011: The Poly Prep Defendants, Harry Petchesky, and Robert Herrmann shall serve their Reply Memorandum of Law in support of their motion. In accordance with Rule 2(D) of the Court's Individual Practices, the Poly Prep Defendants, Harry Petchesky, and Robert Herrmann will file all motion papers on or before this date.

We thank you for your attention to this matter.

Respectfully submitted,



Jeffrey I. Kohn
of O'MELVENY & MYERS LLP

cc: Kevin T. Mulhearn, Esq.
Concepcion A. Montoya, Esq.
Phillip Touitou, Esq.
Harry Petchesky, Esq.
David G. Trachtenberg, Esq.

Hon. Cheryl L. Pollak